

**REGULATION 1.06     Stationary Source Self-Monitoring, Emissions Inventory Development, and Reporting**

**Air Pollution Control District of Jefferson County  
Jefferson County, Kentucky**

**Relates To:** KRS Chapter 77 Air Pollution Control

**Pursuant To:** KRS Chapter 77 Air Pollution Control

**Necessity And Function:** KRS 77.180 ~~authorizes provides that~~ the Air Pollution Control Board to ~~adopt may make~~ and enforce all ~~needful~~ orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation establishes the conditions for ~~stationary~~ source ~~self~~ monitoring, ~~emissions inventory development~~, and reporting.

**SECTION 1     In-Stack Self-Monitoring and Reporting**

The District may require the owner or operator of ~~a any process or process equipment affected facility~~ to install, operate, and maintain stack gas measuring, ~~and/or~~ emission monitoring, ~~and parametric monitoring~~ equipment ~~in accordance with such requirements as specified in these regulations. For cause, including, but not limited to, In selected instances, primarily involving the incineration of hazardous or infectious waste or and repeated or on-going violations, the District such requirement may also require include~~ data storage and transmission equipment and lines. The owner or operator ~~of a process or process equipment that is required to install, operate, and maintain this measuring or monitoring equipment~~ shall maintain records of monitoring data and make periodic reports of ~~these such~~ data in ~~a such~~ form, units of measure, and at ~~the such~~ time intervals ~~required by which the District may prescribe~~. Requirements for specific affected facilities are contained in the applicable regulations. The District, for cause, may require ~~additional or more stringent specific~~ requirements for an individual ~~affected~~ facility than ~~those~~ required in the regulations ~~otherwise~~ applicable to ~~that affected such~~ facility.

**SECTION 2     Ambient Air Monitoring**

The District may require the owner or operator of ~~a process or process equipment any affected facility~~ to install, operate, and maintain ambient air monitoring equipment in accordance with methods prescribed by the District, and in ~~the such~~ number and frequency as prescribed by the District, and to make periodic ambient air monitoring reports at intervals as prescribed by the District.

**SECTION 3     Provisions for Section 4 and Section 5 Emissions Data**

The following provisions apply to the emissions data requirements in Section 4 and Section 5:

3.1     When reporting actual emissions, the owner or operator shall include any increased emissions that result from startups, shutdowns, and malfunctions along with the routine emissions of a process or process equipment.

3.2.1.1 For purposes of complying with the provisions of ~~Section 4 and Section 5~~ ~~this section~~, all emissions ~~shall must~~ be calculated using emission factors from EPA AP-42, other methods defined in the EPA-approved District regulations, stack test or CEMS data, or other procedures ~~proposed defined~~ by the owner or operator ~~and which have been~~ approved in writing by the District. If these other District-approved procedures are used, the District shall

- provide all documentation on the emissions calculation procedures to the EPA, upon request.
- ~~3.3.1.2~~ The ~~emissions data required by Section 4 and Section 5 statement~~ shall include the ~~process- or process equipment-specific facility-by-facility~~ calculations used to determine emissions. The raw data used to calculate the emissions shall be retained by the ~~owner or operator of the stationary~~ source for a period of not less than ~~5 two~~ years and shall be made available to the District upon request. ~~Representative Selected~~ portions of the raw data used to calculate the emissions shall be supplied to the District in support of the emissions statement in a format provided by the District.
- ~~3.4~~ Notwithstanding the provisions of sections 4.2 to 4.4, if a stationary source is subject to Regulation 2.16 *Title V Operating Permits*, then the owner or operator of the stationary source shall comply with the provisions of section 4.1 and not the otherwise applicable provisions of sections 4.2 to 4.4.
- ~~3.5~~ For the purpose of reporting emissions pursuant to Section 4, the owner or operator may exclude emissions that are defined in Regulation 5.01 *General Provisions* sections 1.6.1 and 1.6.2 as “de minimis.”
- ~~3.6~~ For the purpose of reporting emissions pursuant to Section 5, the owner or operator may exclude emissions that are defined in Regulation 5.01 section 1.6 as “de minimis.”
- ~~3.7~~ If the owner or operator of a stationary source is required to submit an emissions statement pursuant to section 4.1 but no hazardous air pollutant is emitted during the applicable year, then the owner or operator shall submit a negative declaration in place of the emissions statement.
- ~~3.8~~ If the owner or operator of a stationary source is required to submit an enhanced emissions statement pursuant to section 5.2 but no toxic air contaminant is emitted during the applicable year, then the owner or operator shall submit a negative declaration in place of the enhanced emissions statement.
- ~~3.2~~ Sources subject to section 3.1 are:
- ~~3.2.1~~ Any stationary source that emits 25 tpy or more of any of the following pollutants: sulfur dioxide, particulates, volatile organic compounds, or nitrogen oxides, and
- ~~3.2.2~~ Any stationary source that emits 10 tpy or more, or a lesser quantity as promulgated by EPA in 40 CFR Part 61, of any HAP listed in the Act Section 112(b), or 25 tpy of any combination of the listed HAPs.
- ~~3.3~~ Stationary sources subject to sections 3.2.1 or 3.2.2 shall submit their first emissions statement by April 15, 1993 and shall report actual emissions from all facilities within the source during calendar year 1992. A source shall submit emission statements annually thereafter, unless it is no longer subject to section 3.2.
- ~~3.5~~ Failure to return the requisite data and forms by the date required in section 3.1 shall be prima facie evidence of a violation of this regulation.

#### **SECTION 4.3 Emissions and Related Data for Criteria Pollutants, HAPs, and Ammonia Reporting**

- ~~43.1~~ The owner or operator of a ~~any~~ stationary source described in section 3.2 shall submit an ~~annual~~ emissions statements of actual emissions of particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone precursor emissions of volatile organic compounds and oxides of nitrogen, lead, ammonia, and all hazardous air pollutants (HAPs) listed in Regulation 5.14 *Hazardous Air Pollutants and Source Categories* to the District as

follows: ~~on or before April 15<sup>th</sup> of each year for the previous calendar year of operation.~~

- 4.1.1 Each year, on or before April 15<sup>th</sup> of the year, for the previous calendar year of operation, for a stationary source subject to Regulation 2.16 *Title V Operating Permits* (Group 1 stationary source),
- 4.1.2 Each year, on or before April 15<sup>th</sup> of the year, for the previous calendar year of operation, for either of the following (Group 2 stationary source):
- 4.1.2.1 A stationary source that has applied for an operating permit pursuant to Regulation 2.17 *Federally Enforceable District Origin Operating Permits*, or
- 4.1.2.2 A stationary source that is subject to the permit requirements of Regulation 2.03 section 1.1 or 1.2 but is not included in section 4.1.1, 4.1.2.1, 4.2, 4.3, or 4.4 of this regulation, if the actual emissions from the stationary source are 25 or more tons per year individually of sulfur dioxide, particulate matter, volatile organic compounds, or oxides of nitrogen, and
- 4.1.3 Beginning August 15, 2006, and every third year thereafter, on or before August 15<sup>th</sup> of the year, for the previous calendar year of operation, for a stationary source that is subject to the permit requirements of Regulation 2.03 section 1.1 or 1.2 but is not included in section 4.1.1, 4.1.2, 4.2, 4.3, or 4.4 of this regulation, unless the District has notified the owner or operator of the stationary source in writing that an emissions statement is required every year.
- 4.2 Beginning April 15, 2006, the owner or operator of a gasoline dispensing facility subject to Regulation 6.40 *Standards of Performance for Gasoline Transfer to Motor Vehicles (Stage II Vapor Recovery and Control)*, which does not include the initial transfer of gasoline into the fuel tanks of new motor vehicles at an automobile or truck assembly plant, shall submit to the District, on or before April 15<sup>th</sup> of each year, the gasoline throughput, by grade, by month, for the previous calendar year of operation. In addition, beginning April 15, 2006, and every third year thereafter, the owner or operator shall submit to the District, on or before April 15<sup>th</sup> of the year, the amount, by type, in gallons per year, of cold cleaner material used for the previous calendar year.
- 4.3 Beginning July 15, 2006, and every third year thereafter, the owner or operator of a stationary source that is subject to Regulation 6.44 *Standards of Performance For Existing Commercial Motor Vehicle And Mobile Equipment Refinishing Operations* or Regulation 7.79 *Standards of Performance For New Commercial Motor Vehicle And Mobile Equipment Refinishing Operations* and is not a stationary source described in either section 4.1.1 or 4.1.2 shall submit to the District, on or before July 15<sup>th</sup> of the year, the amount, in gallons, of coating and solvent, by type, used each month for the previous calendar year.
- 4.4 Beginning April 15, 2006, and every third year thereafter, the owner or operator of a stationary source that is subject to Regulation 5.02 *Adoption of National Emission Standards for Hazardous Air Pollutants* section 3.12 *National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities* and is not a stationary source described in either section 4.1.1 or 4.1.2 shall submit to the District, on or before April 15<sup>th</sup> of the year, the perchloroethylene usage in gallons, by month, for the previous calendar year.
- ~~43.54~~ The District may require the owner or operator of any stationary source ~~not subject to section 3.2~~ to submit additional information regarding processes, process equipment, and report the actual or potential emissions related to any process or process equipment at of the stationary source ~~to the District~~ on forms supplied by the District. The forms shall be ~~certified pursuant~~

~~to section 3.1.3 and~~ returned to the District by the deadline date stated in the letter of transmittal with the forms or stated in the forms themselves.

## **SECTION 5 Enhanced Emissions Data for Toxic Air Contaminants**

### **5.1 As used in Section 5:**

5.1.1 "Category 1 TAC" means a toxic air contaminant (TAC) listed in Regulation 5.23 Categories of Toxic Air Contaminants Section 1,

5.1.2 "Category 2 TAC" means a toxic air contaminant listed in Regulation 5.23 Section 2, and

5.1.3 "Uncontrolled emissions" means the maximum amount of an air contaminant that could be emitted from a process or process equipment under its physical and operational design, regardless of any enforceable limitation on the potential to emit of the process or process equipment and the effect of any air pollution control equipment or other process equipment that reduces emissions and that is vital to production of the normal product or to the normal operation of the process or process equipment. Physical and operational design factors that would limit the uncontrolled emissions from a process or process equipment include, but are not limited to, raw material specifications, maximum production capability, product configuration, and process constraints.

5.2 The owner or operator of a stationary source shall submit an enhanced emissions statement for listed toxic air contaminants (TACs) to the District as follows:

5.2.1 For a stationary source subject to Regulation 2.16 (Group 1 stationary source), the following:

5.2.1.1 The information listed in section 5.2.3 for the actual and uncontrolled emissions by process or process equipment as follows:

5.2.1.1.1 Category 1 TACs Calendar Year 2004 Due 7-15-05, and

5.2.1.1.2 Categories 1 and 2 TACs Calendar Year 2006 Due 6-30-07, and each year thereafter, and

5.2.1.2 The related stack and fugitive emission release parameters listed in section 5.3 as follows:

5.2.1.2.1 Category 1 TACs Due 7-15-05, and

5.2.1.2.2 Category 2 TACs Due 12-31-06, and

5.2.2 For a stationary source that has applied for an operating permit pursuant to Regulation 2.17 or a stationary source that is described in section 4.1.2.2 (Group 2 stationary source), the following:

5.2.2.1 The information listed in section 5.2.3 for the actual emissions by process or process equipment as follows:

5.2.2.1.1 Categories 1 and 2 TACs Calendar Year 2006 Due 9-30-07, and each year thereafter, and

5.2.2.2 The related stack and fugitive emission release parameters listed in section 5.3 as follows:

5.2.2.2.1 Categories 1 and 2 TACs Due 12-31-06.

5.2.3 For each process, all of the following:

5.2.3.1 The operating schedule in hours per day, days per week, and weeks per year,

5.2.3.2 The chemical name for each listed TAC emitted,

5.2.3.3 The actual (and, if required, for the first year's emissions inventory submittal, the uncontrolled) annual, average hourly and daily, and maximum hourly and daily

- 174 emission rates for each listed TAC, and
- 175 5.2.3.4 For the process emissions:
- 176 5.2.3.4.1 Whether the emission is a stack, fugitive, or area/pit emission,
- 177 5.2.3.4.2 The percentage of the overall process emissions that are stack, fugitive, or area
- 178 or pit, and
- 179 5.2.3.4.3 The amount of emissions for each point of emission for each listed TAC,
- 180 5.2.4 For cause, the District may extend the compliance date of section 5.2.1.1.1 by up to 6
- 181 months. To be eligible for this extension, the owner or operator shall submit all of the
- 182 information that is available by the compliance date and a written request to the District
- 183 explaining why the extension is necessary and the actions that were taken to minimize
- 184 the needed extension.
- 185 5.3 The related stack and fugitive emission release parameters are as follows:
- 186 5.3.1 Plot plan, drawn to scale, showing all of the following:
- 187 5.3.1.1 Property line,
- 188 5.3.1.2 Fences,
- 189 5.3.1.3 Scale,
- 190 5.3.1.4 North arrow,
- 191 5.3.1.5 Buildings and other structures,
- 192 5.3.1.6 Height of buildings and other structures (if buildings have tiers, profile of building
- 193 tiers),
- 194 5.3.1.7 Location of processes and process equipment,
- 195 5.3.1.8 Location of points of emission, and
- 196 5.3.1.9 UTM coordinates for corners of property, fences, buildings, and points of emission,
- 197 5.3.2 For each stack, all of the following:
- 198 5.3.2.1 Stack height,
- 199 5.3.2.2 Stack diameter (or dimensions if the stack is not round),
- 200 5.3.2.3 Exhaust gas temperature at stack exit point,
- 201 5.3.2.4 Exhaust gas exit velocity,
- 202 5.3.2.5 Exhaust gas flow rate in ACFM, and
- 203 5.3.2.6 A diagram of the stack discharge point if the exhaust gas is not discharged
- 204 unobstructed vertically upwards,
- 205 5.3.3 For fugitive and area or pit emissions, all of the following:
- 206 5.3.3.1 Dimensions of the point of release, and
- 207 5.3.3.2 Height of the point of release, and
- 208 5.3.4 For flares, all of the following:
- 209 5.3.4.1 Flare tip height,
- 210 5.3.4.2 Maximum and average flare input gas stream volumetric flow rate, temperature, and
- 211 net heat input,
- 212 5.3.4.3 Identification of each component of the flare input gas stream,
- 213 5.3.4.4 Volumetric fraction for each component of the flare input gas stream, and
- 214 5.3.4.5 Flare stack diameter.
- 215 5.4 The uncontrolled emission rate for each listed toxic air contaminant, if required pursuant to
- 216 section 5.2.1, the maximum hourly and daily emission rates, and the related stack and
- 217 fugitive emission release parameters required to be submitted pursuant to section 5.2 are
- 218 required to be submitted only once unless there is an appreciable increase in the uncontrolled



or maximum hourly or daily emission rates or an appreciable change in the information that has been submitted that would increase the maximum ambient concentration of a toxic air contaminant. The current actual annual and average hourly and daily emission rates of each listed toxic air contaminant are required to be submitted each year according to the schedule in section 5.2.

5.5 If the District determines that the concentration of a toxic air contaminant in the ambient air, resulting from the emission by a stationary source that is not required to submit the related stack and fugitive emission release parameters listed in section 5.3, may be greater than the level that would be considered environmentally acceptable pursuant to Regulation 5.21 *Environmental Acceptability for Toxic Air Contaminants* section 2.5.2 or 2.5.3, then the District may require the owner or operator to submit the applicable stack and fugitive emission release parameter information. In this case, the District shall provide written notice to the owner or operator, specifying the information required to be submitted and the applicable deadline.

5.6 If the District determines that the concentration of a toxic air contaminant in the ambient air is, or may be, greater than the level that would be considered environmentally acceptable pursuant to Regulation 5.21 section 2.8.1 or 2.8.2 and a potentially responsible entity for the emissions of the toxic air contaminant is identified, then the District may require the owner or operator of an identified stationary source to submit the information identified in sections 5.2 and 5.3 of this regulation. If the stationary source is already scheduled to submit the information identified in section 5.2 and 5.3, then the District may require the information to be submitted on an accelerated schedule. In either case, the District shall provide written notice to the owner or operator, specifying the required information to be submitted and the applicable deadline.

### **SECTION 63-1.3 Certification by a Responsible Official**

The information submitted to the District pursuant to this regulation shall contain a formal certification by a responsible official, as defined in Regulation 2.16 **section 1.35 (excluding section 1.35.1.1)**, of the truth, accuracy, and completeness of the information. The certification required is as follows:

"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in this document are true, accurate, and complete."

### **SECTION 7 Confidentiality and Open Records Requirements**

~~3.1.4~~ Nothing in this ~~section of the~~ regulation is intended to preempt the confidentiality and open records ~~provisions~~ ~~policy~~ of Regulation 1.08 *Administrative Procedures*.

Adopted v1/4-19-72; effective 4-19-72; amended v2/9-1-76, v3/6-13-79, v4/12-17-86, v5/11-18-92, v6/12-15-93.